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FORT COLLINS, CO 80527-2400

EXAMINER

RODRIGUEZ, LENNIN R

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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08/05/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/635,475	Applicant(s) WIECHERS, ALEJANDRO	
	Examiner LENNIN R. RODRIGUEZ	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11 and 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/29/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the appeal brief filed on 6/2/2008, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Response to Arguments

2. Applicant's arguments, see Appeal Brief, filed 6/02/2008, with respect to the rejection(s) of claim(s) 1, 3-11 and 13-20 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of

Lavery et al. (US 6,429,947), Lahey et al. (US 6,587,217), Mandel et al. (US 5,599,009) and Crandall et al. (US 5,963,641).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim1, 3-4, 9, 11-14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lavery et al. (US 6,429,947) in view of Lahey et al. (US 6,587,217), Schorr et al. (US 6,608,697), Mandel et al. (US 5,599,009) and Keeney et al. (US 6,748,471).

(1) regarding claims 1 and 11:

Lavery '947 discloses a method of managing workflow in a commercial printing environment including a designer location (column 10, lines 50-61, where the customer is the designer location) and a print service provider location (Fig. 4), said method comprising:

creating at the designer location a print job to be printed by the print service provider location (column 10, lines 50-55, where the user creates the print job on his own computer following provider's indications);

creating a press ready file at the designer location that encompasses both said print job and said job ticket (column 10, lines 50-61, where the print ready file is been created at he client's computer and all the information about the way the job should be created (job ticket) is included);

submitting said press ready file to the print service provider location via an electronic network (column 10, lines 58-61, where the order is sent to the printer as a press ready file and 406 in Fig. 4 is the network);

performing at least one of automated printing, finishing, packaging and shipping at the print service provider (column 11, lines 31-37, where the print ready file is used for shipping after printing).

Laverty '947 discloses all the subject matter as described above except creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location;

However, Lahey '217 teaches creating a job ticket at the designer location (column 7, lines 50-53) that specifies production devices of the print service provider to be used to process said print job (Fig. 5a and column 8, lines 36-43, where the user select the devices to be used in the printing process) and processing instructions for the print service provider location (column 7, lines 50-53, where the options presented in the GUI are specific to the provider and the client is selecting and adding them to the ticket);

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made creating a job ticket at the designer location that specifies production devices of the print service provider to be used to process said print job and processing instructions for the print service provider location as taught by Lahey '217 in the system of Laverty '947. It is convenient to include in the computer a GUI to create

job tickets and allow the GUI to interface with the server database and library to perform searches therein (column 3, lines 39-41).

Laverty '947 and Lahey '217 disclose all the subject matter as described above except an automated preflight module performing an automated preflight check of said press ready file at the print service provider location;

However, Schorr '697 teaches an automated preflight module performing an automated preflight check of said press ready file at the print service provider location (column 4, lines 1-60, wherein it specifically states that even though he discloses 4 downloadable modules, there can be more or less depending on the necessity of the user, thus if the service provider needs the analyzer, it can download that specific module to the system);

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an automated preflight module performing an automated preflight check of said press ready file at the print service provider location as taught by Schorr '697, in the system of Roztocil '868. By accessing the preflight system through the print vendor, the print buyer is not hardwired to one particular vendor. Further, as will be understood by reviewing the description of the preferred embodiments below, the print buyer can employ the preflight system according to the invention through potentially any print vendor (column 3, lines 23-29).

Laverty '947, Lahey '217 and Schorr '697 disclose all the subject matter as described above except performing a check by automatically opening, reading, and interpreting said job ticket to confirm that the selected production devices identified in

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said job ticket are available, and if one or more of the selected production devices are not available, automatically selecting one or more alternative production devices to process said print job to ensure production substantially as designed;

However, Mandel '009 teaches performing a check by automatically opening, reading, and interpreting said job ticket (column 29, lines 35-39, 64-67 and column 30, lines 1-5, where after a user sends a job ticket to the system, the system opens it and interprets in order to take action) to confirm that the selected production devices identified in said job ticket are available, and if one or more of the selected production devices are not available, automatically selecting one or more alternative production devices to process said print job to ensure production substantially as designed (column 29, lines 64-67 and column 30, lines 1-5, where the availability of the device is checked and if it is not available it re-routes the print job);

Having a system of Lavery '947, Lahey '217 and Schorr '697 and then given the well-established teaching of Mandel '009 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the commercial printing environment of Lavery '947, Lahey '217 and Schorr '697 reference to include performing a check by automatically opening, reading, and interpreting said job ticket to confirm that the selected production devices identified in said job ticket are available, and if one or more of the selected production devices are not available, automatically selecting one or more alternative production devices to process said print job to ensure production substantially as designed as taught by Mandel '009 reference because in this way it will allow the network system to perform the print job not matter is

the printer specified by a user can not fulfill the job, thus making it convenient for the user.

Laverty '947, Lahey '217, Schorr '697 and Mandel '009 disclose all the subject matter as described above except an automated prepress rework module performing an automated prepress rework of said print job to address any changes in selection of production devices at the print service provider location after performance of the preflight check by automatically reformatting said print job for any newly selected production devices to ensure production substantially as designed.

However, Keeney '471 teaches an automated prepress rework module performing an automated prepress rework of said print job to address any changes in selection of production devices at the print service provider location after performance of the preflight check by automatically reformatting said print job for any newly selected production devices to ensure production substantially as designed (column 9, lines 54-60, where prior to performing the printing the system (in this case the polling device) reformats the print job according to the selected printer device, so the printing would be performed as desired).

Having a system of Laverty '947, Lahey '217, Schorr '697 and Mandel '009 and then given the well-established teaching of Keeney '471 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the commercial printing environment of Laverty '947, Lahey '217, Schorr '697 and Mandel '009 reference to include an automated prepress rework module performing an automated prepress rework of said print job to address any changes in selection of

production devices at the print service provider location after performance of the preflight check by automatically reformatting said print job for any newly selected production devices to ensure production substantially as designed as taught by Keeney '471 reference because in this way it will allow the network system to perform the print job as desired by the user, thus making it convenient for the user.

(2) regarding claims 3 and 13:

Laverty '947, Lahey '217 and Schorr '697 disclose all the subject matter as described above except wherein said step of performing a prepress rework of said print job includes determining whether a selected printer is available at the print service provider location and, if not, revising said print job for printing on an alternate printer

However, Mandel '009 teaches wherein said step of performing a prepress rework of said print job includes determining whether a selected printer is available at the print service provider location and, if not, revising said print job for printing on an alternate printer (column 29, lines 35-39, 64-67 and column 30, lines 1-5, where after a user sends a job ticket to the system, the system opens it and interprets in order to take action and where the availability of the device is checked and if it is not available it re-routes the print job).

Having a system of Laverty '947, Lahey '217 and Schorr '697 and then given the well-established teaching of Mandel '009 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the commercial printing environment of Laverty '947, Lahey '217 and Schorr '697 reference to include wherein said step of performing a prepress rework of said print job includes

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determining whether a selected printer is available at the print service provider location and, if not, revising said print job for printing on an alternate printer as taught by Mandel '009 reference because in this way it will allow the network system to perform the print job not matter is the printer specified by a user can not fulfill the job, thus making it convenient for the user.

(4) regarding claims 4 and 14:

Laverty '947 further discloses wherein said step of performing a prepress rework of said print job further comprises performing automated imposition setup of said press ready file to arrange a plurality of design pages of said print job onto one or more print pages (column 4, lines 32-45).

(5) regarding claims 5 and 15:

Laverty '947, Lahey '217 and Schorr '697 disclose all the subject matter as described above except wherein said step of performing a prepress rework of said print job comprises performing automated remote finishing setup of said print job to select the desired finishing options for said print job when printed at the print service provider location and to prepare finishing instructions to effect the same.

However, Mandel '009 teaches wherein said step of performing a prepress rework of said print job comprises performing automated remote finishing setup of said print job to select the desired finishing options for said print job when printed at the print service provider location and to prepare finishing instructions to effect the same (column 19, lines 10-18, where a job ticket has the selection of the desired finishing options).

Having a system of Laverty '947, Lahey '217 and Schorr '697 and then given the well-established teaching of Mandel '009 reference, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the commercial printing environment of Laverty '947, Lahey '217 and Schorr '697 reference to include that said step of performing a prepress rework of said print job comprises performing automated remote finishing setup of said print job to select the desired finishing options for said print job when printed at the print service provider location and to prepare finishing instructions to effect the same as taught by Mandel '009 reference because in this way it will allow the network system to perform the print job with special instructions such as the finishing instructions, thus making it convenient for the user.

(6) regarding claims 6 and 16:

Laverty '947, Lahey '217 and Schorr '697 disclose all the subject matter as described above except wherein said automated remote finishing setup of said print job is performed only if an error relating to finishing of said print job was identified in said preflight check.

However, Mandel '009 teaches wherein said automated remote finishing setup of said print job is performed only if an error relating to finishing of said print job was identified in said preflight check (column 19, lines 10-18, where a job ticket has the selection of the desired finishing options and it is performed as a correction or corrective attribute).

Having a system of Laverty '947, Lahey '217 and Schorr '697 and then given the well-established teaching of Mandel '009 reference, it would have been obvious to one

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having ordinary skill in the art at the time the invention was made to modify the commercial printing environment of Lavery '947, Lahey '217 and Schorr '697 reference to include that said automated remote finishing setup of said print job is performed only if an error relating to finishing of said print job was identified in said preflight check as taught by Mandel '009 reference because in this way it will allow the network system to perform the print job with special instructions such as the finishing instructions, thus making it convenient for the user.

5. Claims 7-10 and 17-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Lavery et al. (US 6,429,947), Lahey et al. (US 6,587,217), Schorr et al. (US 6,608,697), Mandel et al. (US 5,599,009) and Keeney et al. (US 6,748,471) as applied to claims above, and further in view of Stewart et al. (US 6,714,964).

(1) regarding claims 7 and 17:

Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471 disclose all the subject matter as described above except wherein said step of performing a prepress rework of said print job at the print service provider location further comprises performing automated remote packaging setup of said print job to select the desired packaging options for said print job when printed at the print service provider location and to prepare packaging instructions to effect the same.

However, Stewart '964 teaches wherein said step of performing a prepress rework of said print job at the print service provider location further comprises performing automated remote packaging setup of said print job to select the desired packaging options for said print job when printed at the print service provider location

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(column 8, lines 39-44, where servicing on the completed jobs includes wrapping the documents to be shipped as well as boxing the documents) and to prepare packaging instructions to effect the same (column 8, lines 39-44, where servicing is being interpreted as containing instructions for packaging).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made said step of performing a prepress rework of said print job file at the print service provider location further comprises performing automated remote packaging setup of said print job file to select the desired packaging options for said print job file when printed at the print service provider location and to prepare packaging instructions to effect the same as taught by Stewart '964 in the system of Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(2) regarding claims 8 and 18:

Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471 disclose all the subject matter as described above except wherein said automated remote packaging setup of said print job is performed only if an error relating to packaging of said print job was identified in said preflight check.

However, Stewart '964 teaches wherein said automated remote packaging setup of said print job is performed only if an error relating to packaging of said print job was

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identified in said preflight check (column 8, lines 39-44 and column 9, lines 27-43, where if a problem occurs in the servicing is being interpreted as a problem in packaging as well, as stated in column 8, lines 39-44, and the network is able to identify the error and continue from the point of the error).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated remote packaging setup of said print job is performed only if an error relating to packaging of said print job was identified in said preflight check as taught by Stewart '964 in the system of Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(3) regarding claims 9 and 19:

Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471 disclose all the subject matter as described above except wherein said step of performing a prepress rework of said print job at the print service provider location further comprises performing automated remote shipping setup of said print job to select the desired shipping options for said print job when printed at the print service provider location and to prepare shipping instructions to effect the same.

However, Stewart '964 teaches wherein said step of performing a prepress rework of said print job at the print service provider location further comprises

performing automated remote shipping setup of said print job to select the desired shipping options for said print job when printed at the print service provider location (column 8, lines 39-44, where servicing on the completed jobs includes shipping or delivery of the documents) and to prepare shipping instructions to effect the same (column 8, lines 39-44, where servicing is being interpreted as containing instructions for servicing).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said step of performing a prepress rework of said print job at the print service provider location further comprises performing automated remote shipping setup of said print job to select the desired shipping options for said print job when printed at the print service provider location and to prepare shipping instructions to effect the same as taught by Stewart '964 in the system of Laverty '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

(4) regarding claims 10 and 20:

Laverty '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471 disclose all the subject matter as described above except wherein said automated remote shipping setup of said print job is performed only if an error relating to shipping of said print job was identified in said preflight check.

However, Stewart '964 teaches wherein said automated remote shipping setup of said print job is performed only if an error relating to shipping of said print job was identified in said preflight check (column 8, lines 39-44 and column 9, lines 27-43, where if a problem occurs in the servicing is being interpreted as a problem in shipping as well, as stated in column 8, lines 39-44, and the network is able to identify the error and continue from the point of the error).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that said automated remote shipping setup of said print job is performed only if an error relating to shipping of said print job was identified in said preflight check as taught by Stewart '964 in the system of Lavery '947, Lahey '217, Schorr '697 and Mandel '009 and Keeney '471. In doing so, as copy centers do not afford the consumer the ability to preview a document prior to completion of the service, this not only increases the time for copying and reproduction, but also inevitably increases the costs to both the consumer and the service provider as disclose by Stewart '964 column 2, lines 13-24.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is (571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/
Examiner, Art Unit 2625